

State of West Virginia Request for Department of Administration Quotation Purchasing Division . 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

6610C029

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ADDRESS CORRESPONDENCE TO ATTENTION OF

MICHAEL AUSTIN 304-558-2402

RFQ COPY TYPE NAME/ADDRESS HERE Comade, Inc. 17915-B Sky Park Circle Irvine, CA 92614

(888) 923-9922

DIVISION OF HIGHWAYS VARIOUS LOCALES AS INDICATED BY ORDER

DATE PRINTED: TERMS OF SALE SHIP VIA F.O.B. FREIGHT TERMS 06/01/2010 **BID OPENING DATE:** 06/23/2010 BID OPENING TIME 01:30PM QUANTITY ITEM NUMBER UNITPRICE AMOUNT 0001 570-28 \$1,863.03 CABLE GUARDRAIL REPAIR PARTS OPEN END CONTRACT TO PROVIDE CABLE GUARDRAIL REPAIR PARTS FOR THE WEST VIRGINIA DIVISION OF HIGHWAYS PER THE ATTACHED DRAWINGS AND SPECIFICATIONS. EXHIBIT 3 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE. UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND 2010 JUN 23 AM 10: 17 PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT. WY PURCHASING D!Y/S!ON RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL Inc. WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) ': Cir., Ste B DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE (049)474-0161 SEE REVERSE SIDE FOR TERMS AND CONDITIONS

₹roject Manager

33-1013311

923-9922 06/22/2010 ADDRESS CHANGES TO BE NOTED ABOVE

(888)

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.

3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division

and have paid the required \$125 fee.

- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or Fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.

3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.

4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



VENDOR

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Request for Quotation

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MICHAEL AUSTIN 304-558-2402

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

ADDRESS CHANGES TO BE NOTED ABOVE

RFQ COPY TYPE NAME/ADDRESS HERE Comade, Inc. 17915-B Sky Park Circle Irvine, CA 92614 (888) 923-9922

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Project Manager



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SIGNATURE

TITLE

REQ COPY

TYPE NAME/ADDRESS HERE

Irvine, CA 92614 (888) 923-9922

17915-B Sky Park Circle

Comade, Inc.

State of West Virginia Department of Administration Purchasing Division 2019 Washington Street East Post Office Box 50130 Charleston, WV 25305-0130

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TELEPHONE (888)

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06/22/2010

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33-1013311

Project Manager



State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Request for Quotation

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PAGE 5

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RFQ COPY
TYPE NAME/ADDRESS HERE
Comade, Inc.

17915-B Sky Park Circle Irvine, CA 92614 (888) 923-9922 6H-₽ ∓0

DIVISION OF HIGHWAYS
VARIOUS LOCALES AS INDICATED
BY ORDER

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1. BIDDING INSTRUCTIONS

The purpose of this contract is to provide cable guardrail repair parts to the West Virginia Division of Highways per the attached description or specifications and drawings.

Vendors shall bid on all cable guardrail systems they propose to furnish.

Any qualification of bids or modification of the specifications, design, or conditions governing the bids may be cause to reject bids.

2. CONTRACT AWARD

Contract will be awarded to the qualified vendor who submits the low bid per system.

In the event a Vendor fails to conform to the requirements set out in this contract document, the State Contract Order or the governing specifications, the Contract may be cancelled and awarded to the next lowest bidder.

3. DELIVERY

Materials under this contract are to be shipped prepaid FOB delivery to West Virginia Division of Highways District Storerooms as follows:

Charleston District One **District Two** Huntington Parkersburg District Three **District Four** Clarksburg Burlington District Five **District Six** Moundsville Weston District Seven **Elkins** District Eight Lewisburg **District Nine** District Ten Princeton

Materials should be shipped to the location and in the quantity specified in State Contract Purchase Orders (SCO's) within 30 days after the SCO is issued by the Division of Highways.

Oppublic, Teel 17915 Sky Park Ce, etch Drine, Crippett 049474 oson

4. VENDOR'S INVOICE

Vendor's invoices must be submitted in original and one (1) copy and contain the following:

- a. Division of Highways' State Contract Order (SCO) number, and this contract number.
- b. Total quantity and unit price.

NOTE: Under no circumstances will the West Virginia Division of Highways accept, or pay for, quantities of material in excess of the quantity stated on the State Contract Order.

5. PURSHASING CARD ACCEPTANCE

The State of West Virginia currently utilizes a VISA Purchasing Card Program which is issued through a bank. The successful vendors must accept the State of West Virginia VISA Purchasing Card for payment of all orders placed by State DOT agency for orders as a condition of award.

Ormedo, **Inc.** Togethar, Se 8

NOTE: Vendor should type Bid Schedule

	CASS SYSTEM PARTS LIST						
CASS TL-3, 3-CABLE DRAWING #SS-730							
CABLE LINE POST							
PART #	DESCRIPTION	ADDITIONAL DESCRIPTION	PRICE				
5700B	Cass Cable Spacer TL3	Spacer Non-Reflective	\$ 0.65				
5701B	Cass CBL Spacer TL3 REFLYEL	Spacer Reflective - Yellow	\$ 2.93				
5707T	Cass Post Strap S4 TL ¾	Stainless Post Strap	\$ 2.60				
5708B	Cass Dust Cover S4 Post	Sleeve Dust Cover	\$ 0.65				
5724B	Cass Post Cap S4 X 7.7	Optional Plastic Post Cap	\$ 1.30				
5836B	Cass #3 Rebar 8" ID	Footer Rebar Reinforcing Ring	\$ 1.30				
33953G	Cass-TL3 SPost 3'-11 1/4	Line Post	\$ 45.50				
3398 <mark>2G</mark>	Cass SLV S4 27" 11G CON	Line Sleeve	\$ 32.50				
5757G	Cass CBL SPL SCT RT 100'	100' Cable Section	\$ 260.00				
	CABLE SPLICE		**************************************				
Part#	Description	Additional Description	Price				
4099G	CBL SPL w/Wedge C2207	Torpedo Cable Splice	\$ 78.00				
5633G	Cass TRNBCKL Stud Assy 1"	Turnbuckle/Cable Stud Assy	\$ 156.00				
	TERMINAL ANCHOR POST						
Part#	Description	Additional Description	Price				
3240G	5/16" Round Washer		\$ 0.07				
3245G	5/16" Hex Nut A563		\$_0.13				
4211G	5/16"X1.75 HXBTA307 1-1/18	Hook Bolt	\$_0.52				
5851B	Cass REFL SHT 5X24 Y/B LT	Terminal Anchor Post Reflective Sheet	\$ 7.80				
33909G	Cass-CBL BRKT for CRP PST	Cable Bearing Bracket @ Terminal Anchor POS	\$ 13.00				
33934A	Cass-CRP-Lower Post 2"-0	Terminal Anchor Post Lower # 1-3	\$ 169.00				

	CASS SYSTEM PARTS LIST CO	ONT.	
Part #	Description	Additional Description	Price
33935A	Cass-CRP-Upper Post 2'0	Terminal Anchor Post Upper	\$ 130.00
5817G	Cass CBL Term 54'4 LT/RT	Terminal Cable Section #1	\$ 299.00
5818G	Cass CBL Term 48'1 LT/RT	Terminal Cable Section #2	\$ 292.50
5819G	Cass CBL Term 41'10 LT/RT	Terminal Cable Section #3	\$ 286.00
4902G	1" Round Washer F436		\$ 0.46
4903G	1" HEX NUT A194 2H		\$ 1.63
	TERMINAL LINE POST		
Part #	Description	Additional Description	Price
3245G	5/16" HEX NUT A563		\$ 0.13
5825G	CASS Lock Bolt 5/16"		\$ 0.98
5836B	CASS #3 REBAR 8" ID	Footer Rebar Reinforcing Ring	\$ 1.30
5839B	CASS Sleeve Cover S3 Post	Terminal Sleeve Cover	\$_0.46
5919B	CASS#4 Rebar X 2' - 8	Terminal Footer Rebar	\$ 2.60
33908G	CASS SLV S3 30.75 11GACON	Terminal Line Post Sleeve	\$ 33.15
33910G	CCT Line Post S3X5.7 5'3	Terminal Line Post # 4-9	\$ 42.90

Part #	Description	Additional Description	Price
CBD041MDG	C Post 4ft		\$ No Bid
CBD040HDG	Steel Socket		\$
CBD041HDG	C-Post 4ft		\$
CBD012	Plastic Socket		\$
CBD009	Socket Cover		\$
CBD011	Stiffening Frame		\$
CBD010	Post Cap		\$
CBD043HDG	Stiffening Plate		\$
CBD042	Hook C		\$
CBD020	Plastic Hardware		\$
CBREBAR	Rebar Ring		\$
CBD024HDG	Tensioning Device (complete)		\$
3X7 Cable	Cable		\$
CBD018HDG	Anchor & Fittings	, , , , , , , , , , , , , , , , , , , ,	\$
CBD028	Check Rope		\$
CBD028HDG	Shackle		\$
CBD023	Cable Swedged Ends		\$_ V
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Description	Additional Description	Price
Line Post		\$ No Bid
Small Hook Bolts		\$
Large Hook Bolts		\$
CRP posts		\$
Turnbuckles		\$
Cable Anchor Ends	· · · · · · · · · · · · · · · · · · ·	\$
Cable Spool		\$
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	Line Post Small Hook Bolts Large Hook Bolts CRP posts Turnbuckles Cable Anchor Ends Cable Spool	Line Post Small Hook Bolts Large Hook Bolts CRP posts Turnbuckles Cable Anchor Ends Cable Spool

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Generic System

(See Attached Drawings)

Part #	Description	Additional Description	Price		
	End Assembly, Turnbuckle Cable		\$ No Bid		
	End Assembly, spring cable		\$		
	(compensating device)				
	Cable Splice		\$		
	Intermediate Post, G/R 5'10" galvanized		\$		
Miles	Wedge, (for splice and cable fittings)		\$		
	End Assembly, Cable Rod (cable to anchor)		\$		
	Breakaway anchor angle		\$		
***************************************	J-hooks (hook bolts for post)(4 ½ ")		\$		
	J-hook (hook bolt for post (1- ¾")		\$		
	Keeper Rods 3/16"Φ Brass Rod		\$		
······································	Keeper Plates (bottom of anchor post)		\$		
	Rod, All thread ¾"(end of cable assembly) (1' - 6")		\$		
	Post G/R Anchor (Top & Bottom Complete)		\$		
	Clamp, Rod (fits into cable) (Brass U)		\$		
	Cable, G/R Wire		\$		
	Post G/R Anchor ea. (Top only)		\$		
	Post G/R Anchor ea. (Bottom only)		\$		
	End Post (5' - 10") w/bearing plate		\$		
	Cross Over End Post (5' – 10") w/bearing Plate		\$		
***************************************	3"Reflector w/bolt, nut & spacer		\$		

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Gibraltar System				
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	v	:		
Part #	Description	Price		
	LENGTH OF NEED PARTS			
4-HPIN	TL-4 Hairpin (7/16" X 33")	\$ No Bid		
4-LOCK	TL-4 Lockplate (1/8 X 1 ½" X 21 3/8")	\$		
4-LNP-S	TL-4 Line Post/Socketed (2.5" X 3.25" X 4'9")	\$		
4-BPP-42	Base Plate Post/Surface Mount (2.5" X 3.25""X 3'6")	\$		
4-BPP-72	Base Plate Post/Low fill (2.5" X 3.25" X 6'0")	\$		
	TERMINAL PARTS	\$		
4-Term	Terminal Section (Complete Unit)	\$		
J-BLT	J-Bolt (3/4" J-Bolt)	\$		
TP1	Terminal Post No. 1/Weak (2.5" X 3.25" X40)	\$		
TP2	Terminal Post No. 2/Weak (2.5" X 3.25" X 4'0")	\$		
TP3-4	Terminal Post No. 3/Standard (2.5" X 3.25" X 4'9")	\$		
TP4-4	Terminal Post No. 4/Standard (2.5" X 3.25" X 4'9")	\$		
CRP	Cable Release Post	\$		
AP	Anchor Post	\$		
ATF	Anchor Terminal Fitting (3/4" X 30")	\$		
TKW	Terminal Keeper Wire (12-Ga.X12"long)	\$		
	Dual Unit Parts	\$		
CBL-PRE	TL-4 Pre-stretched Cable (3/4" 3/7 Cable – 2,000 ft Spool)	\$		

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	Gibraltar System Continued	
Part#	Description	Price
SOCK-NMS	TL-4 15" Socket (w/out mow strip) 4" X 3" – 15 long w/2' 8" bars	\$ No Bid
СЅТВ	Cable Splice Turnbuckle (3/4" X 24")	\$
TORP	"Torpedo" Splice	\$
DLN-Y	Delineator/Reflective Object Marker - Yellow	\$
EXCL-CAP	Excluder Cap	\$
САР	Post Cap	\$
T-MTR	Tension Meter	\$
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Comade, Inc. Executed June 12, 2009 Corporate Resolution: 09:014

Title: Combined Corporate Binding & Preference Reciprocity

HEREBY RESOLVED (Corporate Binding):

The undersigned Corporate Officer of Comade, Inc., by order of unanimous voting quorum of the elected Board of Directors acting on behalf of the Company appoint the following. The positions identified below have the authority to bind Comade, Inc. in the execution of documents of bids, contracts, and solicitations, and to receive and receipt therefore all purchase orders and notices issued pursuant to the provisions of any such bid or contract, this corporation hereby ratifying approving, confirming, and accepting each and every such act performed by said agent acting on behalf of the company.

Corporate Officer -

Chief Executive, President, Vice President, Secretary, Treasurer

Project Manager

Contract Administrator

HERBEY RESOLVED (Preference Reciprocity):

Comade, Inc. is considered a small business by US Federal business size standards – less than 100 employees.

Comade, Inc. being domiciled in the State of California (Corporation #2419853), County of Orange, City of Irvine (license #00049610), is NOT certified with the State of California, County of Orange, or the City of Irvine as a small business. We do not singularly qualify, participate, or benefit from any known State, County, or City sponsored entitlement program offered for small business. Moreover, we do not qualified for small business certification based average annual revenue requirements.

Comade, Inc. does not intend singular corporate participation in California certified small business preference. This resolution is specifically stated to avoid reciprocity with other states and agencies with whom we do or might offer services.

Submitted:

Chris Schaller Chairman of the Board

& Chief Executive Officer

Comade, Inc 17915 Sky Park Circle, Suite B Irvine, California 92614 949-474-0160 Fax: 949-474-0161 www.camade.com

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Rev. 09/08

State of West Virginia

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

Bidder is a parthership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification, or 80% of the ownership interest of Bidder is held by another individual, parthership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification, or, 2. Application is made for 2.5% resident vendor preference for the reason checket: Bidder is a resident vendor who with a project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or, 3. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of west Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or, 4. Application is made for 5.5% resident vendor preference for the reason checked: Bidder has the vendor sequence of the project of the wendor who have resided in the state continuously or the two years immediately preceding submission of this bid; or, 5. Appli	1.	Application is made for 2.5% resident vendor preference for the reason checked: Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preced-	
and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or, Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or, 3. Application is made for 2.5% resident vendor preference for the reason checked: Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents or or principal place of business within West Virginia employing a minimum of one hundred state residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or, 4. Application is made for 5% resident vendor preference for the reason checked: Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or, 5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is an individual resident vendor who is a veteran of the United States ammed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or, 6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked: Bidder is a resident vendor who is a veteran of the United States ammed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject o	gange the Printed Andread	Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,	
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Deta: 06/22/2010 Title: Project Manager Common Estate	and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate		
113/70	Bidder	Comade, Inc. Signed	
	Date: _	/	

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

RFQ No.	

STATE OF WEST VIRGINIA Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership. association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceed five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Comade, Inc.	
Authorized Signature	Date: 06/01/2010
State of California	
County of <u>Orange</u> , to-wit:	
Taken, subscribed, and sworn to before me this 1st da	y of <u>June</u> , 20 <u>10</u> .
My Commission expires <u>February 13</u>	, 20_13
AFFIX SEAL HERE	NOTARY PUBLIC .
KENNETH WALKER COMM. #1836304 Notary Public - California Orange County My Comm. Expires Feb. 13, 2013	. Purchasing Affidavit (Powlead 12/15/100

Purchasing Affidavit (Revised 12/15/09)